

Exhibit 1

From: [Matt Topic](#)
To: [Paven Malhotra](#)
Cc: [Annette Hurst](#); [Najemy, Laura](#); [Cariello, Christopher J.](#); [Garko, Sheryl](#); [AI Mail Group](#); [OpenAICopyright](#); [openaicopyrightlitigation.lwteam@lw.com](#); [KVP-OAI](#)
Subject: Re: Center for Investigative Reporting v. OpenAI, Inc., et. al. -
Date: Thursday, October 3, 2024 4:37:40 AM

[EXTERNAL]



Thanks for your email. While those things would certainly help us to start to catch up, we would need a reasonable opportunity to review those productions before making decisions about appropriate search terms and custodians. So this does not resolve the concerns we raised given that fact discovery is scheduled to close in the consolidated cases in less than three months.

On Wed, Oct 2, 2024 at 12:33 PM 'Paven Malhotra' via AI Mail Group <ai@loevy.com> wrote:

Matt,

Thank you for taking the time to speak with us yesterday. We appreciate you sharing your concerns about consolidation and have discussed internally. In an attempt to address those concerns, Defendants offer the following:

- Cross-production: OpenAI and Microsoft are willing to cross produce to CIR the documents already produced to the New York Times and the Daily News once a protective order and ESI order are entered. I'm attaching the most recently entered protective order and ESI order (from the Daily News case) in both PDF and Word. Once you approve, we can file the same in the CIR case.
- Custodians and search terms: OpenAI and Microsoft will also identify the custodians whose documents have been searched to date as well as the search terms that were used for the productions.

We trust these steps will provide CIR with sufficient time to identify the scope of Defendants' productions to date and give the parties ample time to meet and confer on any additional searching CIR proposes. Please let us know if CIR agrees to consolidation.

Regards,

Paven

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